

## United States Senate

WASHINGTON, DC 20510

July 6, 2016

COMMITTEES:  
ARMED SERVICES  
ENERGY AND NATURAL RESOURCES  
INTELLIGENCE  
JOINT ECONOMIC

The Hon. Ryan Zinke  
Secretary  
Department of the Interior  
1849 C St NW  
Washington, D.C. 20240

Dear Secretary Zinke:

Local interest in the management and protection of federal public lands within Taos and Rio Arriba Counties in New Mexico has a long and storied history that has always focused on maintaining the lands, historical and cultural roots, and the way of life for local communities. The establishment of the Rio Grande del Norte National Monument is the culmination of years of work by a broad and diverse coalition of local citizens that achieves these goals for the Rio Grande Gorge and Taos Plateau and its people. As part of your review of this monument, I hope you will consider the long history of public engagement on the management of this landscape and how to preserve northern New Mexico's traditional way of life.

Shortly after the Wilderness Act of 1964 was signed into law, establishing a new level of legislatively directed management protection for unique federal public lands, local Taos and Rio Arriba County residents began work on determining whether the areas of public lands surrounding their communities were deserving of wilderness protection. Subsequently, with the passage of the Federal Land Policy and Management Act of 1976 (FLPMA), Congress directed the Bureau of Land Management (BLM) to conduct a 15-year study and identification of Wilderness Study Area (WSAs) to be submitted to Congress for its consideration as to whether these lands were deserving of full wilderness designation.

This multi-year review process not only allowed, but required, that the public have significant involvement and the ability to comment on management recommendations for these public lands. In 1980, despite considerable public input seeking greater protection for public lands in the region, the BLM only designated 7,050 acres of the San Antonio unit of BLM lands as a WSA, while releasing over 11,000 acres from further consideration as wilderness quality lands. This decision, and the additional determination that none of the lands of the Cerro de la Olla parcel (13,283 acres) nor the Windmill parcel (9,447 acres) should be considered as WSAs, was a great disappointment for the residents of this area.

However, in northern New Mexico, as was the case in the southern part of the State, the New Mexico BLM Wilderness Coalition was actively involved in the inventory process. The coalition's findings were put forth in a 230-page proposal, "Wildlands," published in 1987, which recommended further consideration of the wilderness quality and characteristics of public lands along the Rio Grande Gorge and Taos Plateau.

By the mid- to late 1980s, community support to further protect the Rio Grande Gorge and Taos Plateau continued to grow. As a result, by 1990, after a Congressional field hearing held in Taos earlier that year, then-Representative Bill Richardson decided it was time to establish a “Citizen’s Committee on the Rio Grande del Norte.” The committee’s purpose was to develop a general consensus amongst the congressman’s constituents and local elected officials on how best to protect these cherished lands.

After receiving input from the committee and numerous interested parties on how best to protect the lands of the Rio Grande Gorge and Taos Plateau Congressman Richardson introduced the Rio Grande del Norte National Conservation Area Establishment Act (H.R. 2882) on June 27, 1991. In addition to creating a national conservation area (NCA) of approximately 394,000 acres to protect the lands and enhance their use by outdoor enthusiasts, the legislation directed that the secretaries of Interior and Agriculture to develop a management plan for the NCA and make recommendations as to whether any of the lands contained therein should be designated as wilderness. The NCA acreage was significantly less than the 639,000 acres proposed by a number of local interests.

The proposed NCA’s size was a compromise between the smallest and the medium-sized areas proposed by the 14-member Citizen’s Committee the congressman had established the year before. And, as a result of a town hall meeting held by the congressman in Taos earlier in the year, the legislation contained no new mining restrictions on existing leases, except along the Rio Grande River corridor. All other current land-use activities would be allowed to continue under the proposed new management designation. At the time of the bill’s introduction, Congressman Richardson touted the measure as a major conservation effort that represented a compromise amongst the various users of the land.

While the Congressman’s legislation was not approved by the 102<sup>nd</sup> Congress, local support for these areas and other special wild lands within the counties developed into a citizens’ proposal that sought to protect them as part of the national Wilderness Preservation System and as a National Conservation Area.

Ute Mountain (*Cerro del Yuta*) had always been a dominate feature of the northern New Mexico landscape. The lands, which had previously been privately owned, were acquired by the U.S. from the Trust for Public Land through the use of Land and Water Conservation Funds (LWCF). The local community had worked to protect the area from encroaching development for more than 30 years. The land was conveyed to the U.S. to be managed by the BLM in two parcels of 7,920 acres (2003) and 6,420 acres (2005). Once part of the federal estate, local land protection efforts sought to protect Ute Mountain as wilderness.

Beginning in 2007, U.S. Senate Energy and Natural Resources Committee staff, under the direction of Senator Jeff Bingaman (D-NM), began a series of meetings and community outreach activities in Taos and Rio Arriba Counties in New Mexico focused on a citizens’ proposal to protect the Rio Grande del Norte region as wilderness and a national conservation area (NCA). Senate staff met and communicated with a diverse group of constituencies in northern New Mexico over many months and years to determine the level of support, and opposition, for efforts to protect the Rio Grande del Norte region.

These outreach efforts were numerous and comprehensive—including meetings with local officials from the Taos and Arriba County Commissions, Taos Pueblo, the Towns of Taos and Red River, Villages of Questa and Taos Ski Valley, the Taos Chamber of Commerce, and the Kit Carson Electric Cooperative. Additionally, a “town hall” meeting was held for mine workers from the local Chevron (Molycorp) Mine, and Senate staff met individually on multiple occasions with each and every grazing permittee within the area proposed for protection.

The historic connection between these lands and local residents runs strong and deep. As such, no effort to develop a new management regime for these public lands could be conceivable without the buy-in and active support of traditional community leaders from Taos Pueblo, nearby Hispanic land grant heirs, and acequia associations, whose traditions date back to early Spanish settlement of the area. Furthermore, and of similar importance, was the need to ensure protective status for the Rio Grande del Norte was also endorsed and welcomed by other “users” of these lands—local hunters, anglers, outdoor guides and outfitters, all of whom depend upon this land for their way of life. Senate staff met repeatedly with all these varied interests.

For these communities, the protection of this landscape was profoundly linked to the preservation of their cultural identity and traditions and ensuring that these would likewise be protected in the future along with these lands. Throughout the outreach process, it became clear that there was strong interest in protecting the water and watersheds. Furthermore, local communities and interests wanted to ensure that traditional activities like hunting, fishing, grazing, gathering of firewood, and piñon nut collection would continue without restrictions for future generations.

Community leaders also expressed a strong desire to pursue policies, such as public lands protection, that would promote economic development for the region—offering permanent, long-term job opportunities for their children—while also preserving their rural lifestyle. Local business dependent on tourism (outfitters, guides, hotels, restaurants, etc.) expressed overwhelming support for the protection of these lands as the best way to ensure an economic boost for the region that had historically experienced high unemployment.

As a result of this community support, over the years, many subsequent bills were introduced by various members of Congress protect these wild lands. Senator Bingaman introduced S. 874, the Rio Grande del Norte National Conservation Area Establishment Act in 2009. The Senate Energy and Natural Resources Committee held hearings in May of that year, and the bill was reported in November but was not considered by the full Senate. I cosponsored a similar bill, H.R. 5334, that Representative Ben Ray Lujan introduced in the House of Representatives. In the following Congress, both the senator and congressman re-introduced their legislation (S. 667 and H.R. 1241, respectively). The bills both received hearings in the Senate and House Committees, and S. 667 was reported to the full Senate but was not considered further.

After years of effort, it became clear that Congress was not going to act of the legislative proposals to protect the area. As such, this latest legislative proposal eventually became the foundation upon which the effort to establish a national monument was based.

Throughout the multi-year process to protect these public lands—whether through designation as an NCA, wilderness, or a national monument—the local supporters of protective designation, along with New Mexico’s Senators and the local Member of Congress, continued their outreach



to all potential stakeholders. For instance, to ensure national monument designation would not adversely impact potential oil and gas development in the region, geological surveys were conducted that determined the area encompassed by the proposed national monument had a low potential for such extractive industries. Furthermore, the high elevation sagebrush and grasslands public lands of the area were used by local ranchers, and it was determined that monument designation would not adversely impact this practiced that depends on public lands to off-set development pressures on their ranch lands.

Additionally, the boundaries of the monument were also carefully crafted to avoid conflicts with any existing usages, such as pipeline corridors and mining areas. Through congressional staff consultation with the Kit Carson Electric Cooperative, existing transmission corridors were “grandfathered” into the monument designation while allowing for the expansion of existing rights-of-way in the future if needed.

On December 15, 2012, then-Interior Secretary Ken Salazar held a listening session in Taos to gauge the support for the Rio Grande del Norte National Monument. Attending the standing-room-only gathering were local residents, including ranchers, hunters, business leaders, elected officials, and traditional communities. When the Secretary asked for a show of hands of those in support monument designation, the vote was unanimous. President Obama issued the proclamation establishing the monument the following March, which was welcomed with celebrations across Taos County.

Of particular importance to note is that fact that the monument proclamation incorporated all those provisions that were of most significant to the local community and various user groups that the legislation had taken into account—especially the long-time traditional uses, such as allowing for the continued collection of piñon nuts and firewood, as well as the continuation of hunting, fishing, and grazing.

Throughout the long process of developing the appropriate protective status for these lands—beginning with efforts to establish WSAs through the BLM administrative process to support for legislation for establishing an NCA and wilderness to the eventual designation as a national monument, public involvement and local interests have been actively involved. This has been a true grass-roots, bottom-up, open and transparent process based in a love for the land and tradition involving local citizens, mayors and other elected officials, businesses, conservationists, outdoor enthusiasts and guides, hunters and anglers, faith-based organizations, veterans, ranchers and grazing permittees, land grant heirs, acequia associations, and traditional leaders from Taos Pueblo. As you consider the future of this place, I hope you take into account the hours, months, and years Taoseños have devoted to protecting this landscape.

Sincerely,

A handwritten signature in blue ink, appearing to read "Martin Heinrich", written over a light blue horizontal line.

MARTIN HEINRICH  
United States Senator